



Nevada Clean Indoor Air Act



A Guide for Employers

Effective December 8, 2006, The Nevada Clean Indoor Air Act prohibits smoking in most public places and indoor places of employment. The law also allows local governments to adopt and enforce local tobacco control measures more stringent than the state law.

Why was the Nevada Clean Indoor Air Act passed?

The Act was passed in order to protect the public from secondhand smoke. Secondhand smoke is a combination of smoke from the burning end of a cigarette, cigar, or pipe and the smoke exhaled by smokers. The U.S. Environmental Protection Agency (EPA) reports that secondhand smoke contains more than 4,000 substances, many of which are known to cause cancer in humans. In 2006, the U.S. Surgeon General released a comprehensive report stating that there is no risk-free level of secondhand smoke exposure.

Where is smoking prohibited?

The Act states that smoking tobacco in any form is prohibited within indoor places of employment including:

- Public and private school buildings and on public and private school grounds;
- Child care facilities with five or more children;
- All areas of grocery stores, convenience stores, and drug stores;
- All indoor areas within restaurants, including those in casinos or gaming establishments;
- Video arcades;
- Government buildings and public places;
- Movie theaters; and
- Indoor places of employment, unless specifically exempt by the Act.

Where is smoking permitted?

The Act states that smoking is not prohibited in:

- Areas in casinos where children are prohibited by law from loitering, such as the casino floor, race or sports book, casino bars, and poker rooms;
- Stand-alone bars, taverns, and saloons, that don't service food;
- Strip clubs and brothels;
- Retail tobacco stores;
- Private residences, except if used for child care or health care facility; and
- Hotel and motel rooms, as designated by hotel or motel operator.

**Nevada State Health Division
4150 Technology Way, Suite 101
Carson City, Nevada 89706
(775) 684-5900**

<http://health2k.state.nv.us/tobacco/index.htm>



Nevada Clean Indoor Air Act



If my business is not listed in the above lists, does the Act apply?

If your type of business is not specifically listed in the above lists, and you have an indoor place of employment, then smoking is prohibited indoors.

How does this Act affect private offices?

Employees with private offices are prohibited from smoking in their office, or anywhere in the building.

What should I do if customers or employees insist on smoking?

It is recommended that you or your staff remind them of the Act and politely explain that they must step outside if they wish to smoke. If a customer refuses to comply with the Act, use common sense. The purpose of the act is to protect others from the harmful effects of secondhand smoke. **DO NOT CALL** the police unless the violator is threatening physical harm or is belligerent.

What if I choose not to ask customers or employees to stop smoking?

If you fail to comply with the Act, an employee or member of the public may contact your local or state health department to file a complaint. If a local and state health officer or police officer is present while someone is smoking in your establishment, you could be issued a misdemeanor citation.

How will the Act be enforced?

Compliance with the Act is the responsibility of the owner, manager, or operator of an area where smoking is prohibited. A reasonable effort to prevent smoking should be made by this individual or group of individuals. Health authorities, police officers of cities or towns, sheriffs and their deputies shall, within their respective jurisdictions, enforce the provisions of the Act and shall issue citations for violations of the Act.

What are the penalties?

A person who is found to violate the Act is guilty of a misdemeanor, which generally carries a fine imposed by a judge. In addition, a person who violates this Act is liable for a civil penalty of \$100 for each violation.

Besides prohibiting smoking in my business, what does the Act require me to do?

The Nevada Clean Indoor Air Act states that employers must clearly and conspicuously post "No Smoking" signs in their facilities at every entrance. Employers are also required to remove all ashtrays and other smoking paraphernalia from any area where smoking is prohibited.

**Nevada State Health Division
4150 Technology Way, Suite 101
Carson City, Nevada 89706
(775) 684-5900**

<http://health2k.state.nv.us/tobacco/index.htm>



Nevada Clean Indoor Air Act



Free, downloadable “No Smoking” signs are available on the Nevada State Health Division website at <http://health2k.state.nv.us/tobacco>.

How can I find more information?

For more information on the dangers of secondhand smoke, please call the Nevada State Health Division’s Chronic Disease Section at 775-684-5914 or visit the website at <http://health2k.state.nv.us/tobacco>.

For more information regarding compliance with the new law for employers, please call the Nevada State Health Officer at 775-684-4200.

Where can I get more information on quitting?

If you smoke and want to quit, call the Nevada Tobacco Users’ Helpline at 1-800-QUIT-NOW (1-800-784-8669) or visit www.livingtobaccofree.com.

**Nevada State Health Division
4150 Technology Way, Suite 101
Carson City, Nevada 89706
(775) 684-5900**

<http://health2k.state.nv.us/tobacco/index.htm>